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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,415	06/30/2003	Mary Elizabeth Lawson	23952-0103	8060
72386	7590	09/07/2007		
SUTHERLAND II SUTHERLAND, ASBILL & BRENNAN, LLC 999 PEACHTREE STREET ATLANTA, GA 30309			EXAMINER POINVIL, FRANTZY	
			ART UNIT 3692	PAPER NUMBER
			MAIL DATE 09/07/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/608,415

Applicant(s)

LAWSON ET AL.

Examiner

Frantzy Poinvil

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang et al. (US Patent No. 5,884,288).

As per claims 1-20, Chang et al disclose a system and method for in a which a subscriber subscribe to a service provider to provide payment to a payee. See the abstract. The system and method comprise:

Receiving a payment request to pay a payee on behalf of payor;

Transmitting to the payee pre-posting information including at least one of information identifying the payor, information identifying a payment amount associated with the received payment request, and information identifying a bill;

Directing payment to the payee on behalf of the payor subsequent to the transmission of the pre-posting information and issuing remittance to the payee in association with the direction of the payment. Applicant is directed to the abstract, column 2, lines 39-67 of Chang et al.

Chang et al further teach processing the received payment to determine one or more payment parameters wherein the pre-posting information is transmitted to the payee via one of a time i) prior to the processing of the received payment request ii) upon completion of the

Art Unit: 3692

processing of the payment request, or iii) upon completion of a debit associated with the payment request (see column 4, lines 44 to 67).

Chang et al further teach the determined one or more payment parameters includes at least one of i) an availability of payor funds prior to directing payment, ii) whether risk will be accepted in paying the payee on behalf of the payor, iii) a form of payment to the payee on behalf of the payor, iv) if the issued payment is to be a check, a check number of the payment, v) a date upon which payment to the payee will be issued, and vi) whether an account number of the payor with the payee included in the payment request conforms to an account scheme of the payee. See column 9, lines 4-54.

Chang et al also teach the transmitted pre-posting information includes at least one of the one or more determined payment parameters.

Chang et al disclose: the payor is one of a plurality of payers; the payment request is one of a plurality of received payment requests, each requesting that a payment be made to the payee on behalf of a respective one of the plurality of payers; and the transmitted pre-posting information is associated with each of the plurality of received payment requests. See figures 8A and 8B.

Chang et al also teach receiving from the payee a confirmation of receipt of the pre-posting information. See also figures 8A and column 9, lines 4-54.

Chang et al also disclose transmitting pre-posting information to the payee and pre-posting information associated with received recurring payment request in association with each of multiple instances of the recurring payment. See column 7, lines 9-56 of Chang et al.

Art Unit: 3692


The system of Chang et al is a computerized system having a database and thus inherently allowing modification of information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Frantzy Poinvil
Primary Examiner
Art Unit 3692

September 3, 2007